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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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	:	
THOIP (A Chorion Limited Company),	:	
	:	
Plaintiff,	:	08 Civ. 6823 (SAS)
	:	ECF Case
	:	
- against -	:	NOTICE OF MOTION
	:	TO EXCLUDE
THE WALT DISNEY COMPANY,	:	THE PROPOSED EXPERT
	:	TESTIMONY OF
Defendant.	:	DR. MYRON J. HELFGOTT
	:	
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PLEASE TAKE NOTICE THAT, upon the Declarations of Martin Schwimmer, dated October 23, 2009, Yoram (Jerry) Wind, dated October 22, 2009, Matthew Moore, dated October 23, 2009, and Amory Millard, dated October 22, 2009, the accompanying Exhibits, and the accompanying Memorandum of Law in Support of Plaintiff's Motion to Exclude the Proposed Expert Testimony of Dr. Myron J. Helfgott, Plaintiff, THOIP (A Chorion Limited Company) ("THOIP"), by and through its undersigned counsel, will move this Court, before the Honorable Shira A. Scheindlin, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, Courtroom 15C, New York, New York 10007, on any

available court date for an Order excluding the testimony of Defendants' expert Dr. Myron J. Helfgott.

PLEASE TAKE FURTHER NOTICE that pursuant to the briefing schedule ordered at the October 9, 2009 pre-motion conference, any opposing affidavits and answering memoranda shall be served on or before November 6, 2009, and any reply affidavits and memoranda of law shall be served on or before November 20, 2009.

Dated: New York, NY
October 23, 2009

Respectfully submitted

By: s/ Paul M. Fakler
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